

## OPINION 773

TERGIPES CUVIER, 1805 (GASTROPODA): VALIDATED UNDER THE  
PLENARY POWERS

## RULING.—(1) Under the plenary powers:

- (a) the possibly vernacular usage of the name "*tergipes*" by Cuvier, 1805, is hereby validated as a generic name;
- (b) the following specific names are hereby suppressed for the purposes of the Law of Priority but not for those of the Law of Homonymy:
  - (i) *minimus* Forskål, 1775, as published in the binomen *Limax minimus*;
  - (ii) *dicquemari* Risso, 1818, as published in the binomen *Tergipes dicquemari*;
  - (iii) *brochi* Risso, 1818, as published in the binomen *Tergipes brochi*.

(2) The following generic names are hereby placed on the Official List of Generic Names in Zoology with the Name Numbers specified;

- (a) *Tergipes* Cuvier, 1805 (gender : masculine), type-species, by monotypy, *Limax tergipes* Forskål, 1775 (Name No. 1711);
- (b) *Cuthona* Alder & Hancock, 1855 (gender : feminine), type-species, by monotypy, *Eolis nana* Alder & Hancock, 1842 (Name No. 1712).

(3) The following specific names are hereby placed on the Official List of Specific Names in Zoology with the Name Numbers specified:

- (a) *tergipes* Forskål, 1775, as published in the binomen *Limax tergipes* (type-species of *Tergipes* Cuvier, 1805) (Name No. 2138);
- (b) *nana* Alder & Hancock, 1842, as published in the binomen *Eolis nana* (type-species of *Cuthona* Alder & Hancock, 1855) (Name No. 2139);
- (c) *pallida* Alder & Hancock, 1842, as published in the binomen *Eolis pallida* (Name No. 2140);
- (d) *exigua* Alder & Hancock, 1848, as published in the binomen *Eolis exigua* (Name No. 2141).

(4) The following generic names are hereby placed on the Official Index of Rejected and Invalid Generic Names in Zoology with the Name Numbers specified:

- (a) *Tergipes* Fleming, 1828 (a junior homonym of *Tergipes* Cuvier, 1805) (Name No. 1794);
- (b) *Tergipes* Risso, 1818 (a junior homonym of *Tergipes* Cuvier, 1805) (Name No. 1795).

(5) The following specific names are hereby placed on the Official Index of Rejected and Invalid Specific Names in Zoology with the Name Numbers specified:

- (a) *minimus* Forskål, 1775, as published in the binomen *Limax minimus* (as suppressed under the plenary powers in (1) (b) above) (Name No. 859);
- (b) *dicquemari* Risso, 1818, as published in the binomen *Tergipes dicquemari* (as suppressed under the plenary powers in (1) (b) above) (Name No. 860);

- (c) *brochi* Risso, 1818, as published in the binomen *Tergipes brochi* (as suppressed under the plenary powers in (1) (b) above) (Name No. 861);
  - (d) *neglecta* Lovén, 1846, as published in the binomen *Aeolis neglecta* (an incorrect spelling for *despecta*, *Eolidia*, Johnston, 1835) (Name No. 862);
  - (e) *lacinulata* Gmelin, 1791, as published in the binomen *Doris lacinulata* (a junior homonym of *lacinulata*, *Doris*, Müller, 1776) (Name No. 863);
  - (f) *picta* Alder & Hancock, 1847, as published in the binomen *Eolis picta* (a junior objective synonym of *pallida*, *Eolis*, Alder & Hancock, 1842) (Name No. 864);
  - (g) *fasciculata* Gmelin, 1791, as published in the binomen *Doris fasciculata* (a junior homonym of *fasciculata*, *Doris*, Müller, 1776) (Name No. 865).
- (6) The following family-group names are hereby placed on the Official List of Family-Group Names in Zoology with the Name Numbers specified:
- (a) CUTHONIDAE Odhner, 1934 (type-genus *Cuthona* Alder & Hancock, 1855) (Name No. 406);
  - (b) TERGIPEDINAE Bergh, 1889 (type-genus *Tergipes* Cuvier, 1805) (Name No. 407).

#### HISTORY OF THE CASE (Z.N.(S.) 1044)

The present case was submitted to the office of the Commission by Dr. Henning Lemche in April 1956, and revised by him in 1963. The application was sent to the printer on 17 October 1963 and was published on 25 March 1964 in *Bull. zool. Nomencl.* **21** : 35–39. Public Notice of the possible use of the plenary powers was given in the same part of the *Bulletin* as well as to the other prescribed serial publications (Constitution Art. 12b; *Bull. zool. Nomencl.* **21** : 184) and to two specialist serials.

The application was supported by Lt. C. L. Collier, Dr. Myra Keen and Dr. R. Burns. Comments and additional proposals by Mr. D. Heppell were published in *Bull. zool. Nomencl.* **21** : 410–412. An emendation, and a comment on the additional proposals by Dr. Lemche appeared in *Bull. zool. Nomencl.* **22** : 9 and 10 respectively. A final list of proposals, agreed by Dr. Lemche and Mr. Heppell, was drawn up and circulated to Commissioners for voting.

#### DECISION OF THE COMMISSION

On 25 January 1966 the Members of the Commission were invited to vote under the Three-Month Rule on Voting Paper (66)1 either for or against the proposals set out on an accompanying sheet. These proposals were drawn from Dr. Lemche's original list together with published emendations and additions by Dr. Lemche and Mr. Heppell. At the close of the prescribed voting period on 25 April 1966 the state of the voting was as follows:

Affirmative votes—twenty (20), received in the following order: China, Holthuis, Mayr, Lemche, Stoll, Vokes, Bonnet, Obruchev, Uchida, Simpson,

do Amaral, Boschma, Tortonese, Sabrosky,\* Jaczewski, Binder, Kraus, Evans, Forest, Mertens.

Negative votes—none (0).

Voting Papers not returned—three (3): Hubbs, Munroe, Ride.

Drs. Alvarado and Brinck returned late affirmative votes. Mr. Sabrosky made the following comment in returning his vote: "I suggest that in para. 1(a) 'probable' be changed to 'possibly'. There is no probability either way. I vote against (1)(b), (4) and (5) because I consistently oppose action on nomina dubia and junior homonyms are dead without Commission action. The Official Index should not be inflated with unnecessary entries."

#### ORIGINAL REFERENCES

The following are the original references for names placed on Official Lists and Indexes by the Ruling in the present Opinion:

*brochi*, *Tergipes*, Risso, 1818, *J. Phys.* **87** : 373

*Cuthona* Alder & Hancock, 1855, *Mon. brit. nud. Moll.*, App.: xxii

CUTHONIDAE Odhner, 1934, *Brit. Antarct. (Terra Nova) Exp.*, Nat. Hist. Rept., Zool. **7** : 278

*dicquemari*, *Tergipes*, Risso, 1818, *J. Phys.* **87** : 373

*exigua*, *Eolis*, Alder & Hancock, 1848, *Ann. Mag. nat. Hist.* (2) **1** : 192

*fasciculata*, *Doris*, Gmelin, 1791, in Linnaeus, *Syst. Nat.* (ed. 13) **1** : 3105

*lacinulata*, *Doris*, Gmelin, 1791, in Linnaeus, *Syst. Nat.* (ed. 13) **1** : 3105

*minimus*, *Limax*, Forskål, 1775, *Descr. Anim.*: 100

*nana*, *Eolis*, Alder & Hancock, 1842, *Ann. Mag. nat. Hist.* **9** : 36

*neglecta*, *Aeolis*, Lovén, 1846, *Öfvers. K. svensk. Vetensk.-Akad. Förhandl.* **1846** : 7

*pallida*, *Eolis*, Alder & Hancock, 1842, *Ann. Mag. nat. Hist.* **9** : 35

*picta*, *Eolis*, Alder & Hancock, 1847, *Mon. brit. nud. Moll.* (3), fam. 3, pl. 33

TERGIPEDINAE Bergh, 1889, in Carus, *Prodr. Faun. Medit.* **2** : 209

*Tergipes* Cuvier, 1805, *Ann. Mus. Hist. nat.*, Paris **6** : 433

*Tergipes* Fleming, 1828, *Hist. brit. Anim.* : 283

*Tergipes* Risso, 1818, *J. Phys.* **87** : 372

*tergipes*, *Limax*, Forskål, 1775, *Descr. Anim.*: 99

#### CERTIFICATE

We certify that the votes cast on Voting Paper (66)1 were cast as set out above, that the proposal contained in that Voting Paper has been duly adopted under the plenary powers, and that the decision so taken, being the decision of the International Commission, is truly recorded in the present Opinion No. 773.

G. OWEN EVANS

Secretary

W. E. CHINA

Assistant Secretary

International Commission on Zoological Nomenclature

London

2 May 1966

\* An affirmative vote in part only. See comment below.